

REMARKS

This Amendment is filed in response to the Office Action mailed February 6, 2008. All objections and rejections are respectfully traversed.

Claims 1-2, 4-12, 14, 25-33 are in the case.

Claim 26-33 are newly added.

Request for Interview

The undersigned respectfully requests a telephonic interview with the Examiner after the Examiner has had an opportunity to consider this Amendment, but before the issuance of the next Office Action. The undersigned may be reached at 617-951-2500.

Rejections Under 35 U.S.C. § 103

At paragraph 3 of the Office Action, claims 1-2, 4-12, 14, 19-22 and 25 were rejected under 35 U.S.C. §103 as being patentable over Sacks, U.S. Patent No. 4,774,724, hereinafter Sacks, in view of Crispin, U.S. Patent No. 5,465,425, hereinafter Crispin.

Applicant's claimed invention, as set forth in representative claim 1, comprises in part:

1. A glove with a protective pad assembly, comprising:
a base layer that extends over a user's palm and encircles a user's thumb to protect a user's hand to which protective layers are to be applied, the base layer including integral fasteners on at least one internal or outwardly facing surface; and
a plurality of protective layers that consist of protective material with integral fasteners on the respective surfaces thereof, the respective layers of the plurality of protective layers being smaller than the base layer and sized to cover regions of the base layer that correspond to an injury to a median nerve, the user's thumb, or bones or joints covered by the glove, *the plurality of layers being arranged relative to the base layer to provide a selected number of protective layers to selected locations that correspond to the injury to the median nerve, the user's thumb, or bones or*

joints covered by the glove , the protective layers being configured to fasten to the base layer and to one another to provide at a given selected location the protection of a desired number of layers and to provide at any other selected locations as needed the protection of the same or a different number of layers.

By way of background Sacks discloses a protective garment, specifically a bullet proof vest that includes a trauma pack attached to the garment to reinforce the protective action of the protective garment. Each trauma pack added to the protective garment is of the same size and shape. For example, the trauma pack is of rectangular shape and added to the vest to add greater protection for the user's heart.

Crispin discloses a fishing vest used for attaching removable pockets using Velcro™. The pockets are of two different sizes. The large pocket is elongated horizontally, and the small pocket is elongated vertically. Multiple pockets can be attached on top of one another on top of the vest through the use of Velcro™ on both sides of the pockets.

Applicant respectfully urges that Sacks and Crispin, taken alone or in combination, do not teach or suggest Applicant's claimed novel *a base layer that extends over a user's palm and encircles a user's thumb to protect a user's hand ... the plurality of layers being arranged relative to the base layer to provide a selected number of protective layers to selected locations that correspond to the injury to the median nerve, the user's thumb, or bones or joints covered by the glove , the protective layers being configured to fasten to the base layer and to one another to provide at a given selected location the protection of a desired number of layers and to provide at any other selected locations as needed the protection of the same or a different number of layers.* In further detail, Applicant's claimed invention is to a glove that allows a user to apply padding to selected locations on the user's hand corresponding to an injury to the user's hand. The selected location may be the median nerve or the user's thumb. The user can adjust the number of protective layers that are applied. For example, just after an injury to a user's median nerve, a user may apply two protective layers on top of the base layer corresponding to the location of the median nerve. As the injury heals, the user may apply

just a single protective layer to the base layer corresponding to the median nerve. Additionally, if a user injures two locations on a hand, the user can apply different numbers of protective layers to the respective injuries based on what the user finds to be most comfortable.

Applicant respectfully urges that neither Sack nor Crispin disclose a glove for protecting a user's hand in response to an inflammation or injury to the user's hand. Crispin discloses a vest for placing different size pockets used to hold fishing gear, but does not disclose or suggest attaching protective layers to a glove for a user with an injured hand, where the protective layers are used to comfort the user. Sack discloses a vest with an extra trauma pack for adding extra protection for example to the user's heart. There is no disclosure or suggestion in Sack of comforting an injury of a user through protective layers added to the base layer corresponding to the location of the injury.

Accordingly, Applicant respectfully urges that Sacks and Crispin, taken alone or in combination, are legally insufficient to make obvious the presently claimed invention under 35 U.S.C. § 103 because of the absence of the Applicant's claimed novel *a base layer that extends over a user's palm and encircles a user's thumb to protect a user's hand ... the plurality of layers being arranged relative to the base layer to provide a selected number of protective layers to selected locations that correspond to the injury to the median nerve, the user's thumb, or bones or joints covered by the glove , the protective layers being configured to fasten to the base layer and to one another to provide at a given selected location the protection of a desired number of layers and to provide at any other selected locations as needed the protection of the same or a different number of layers.*

All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims, and therefore in condition for allowance.

Favorable action is respectfully solicited.

Please charge any fee occasioned by this paper to our Deposit Account

No. 03-1237.

Respectfully submitted,

/Shannen C. Delaney/
Shannen C. Delaney
Reg. No. 51,605
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210-2414
(617) 951-2500